

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KEITH GORMEZANO,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. C20-361 RAJ

**ORDER GRANTING
DEFENDANT'S MOTION TO
REMAND FOR FURTHER
ADMINISTRATIVE
PROCEEDINGS**

This matter is before the Court on Defendant's Motion for Remand. Dkt. 13.

Based on the motion and accompanying declarations, and that Plaintiff has filed no opposition, Defendant's motion is **GRANTED**.

It is hereby **ORDERED** that the Commissioner's decision be **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings before an Administrative Law Judge. On remand, the ALJ will address Plaintiff's request for a hearing regarding his initial overpayment amount of \$64,960.10. Also, the ALJ will refer the second overpayment amount (\$14,172.00) to the field office and the field office will issue a reconsideration determination notice with appeal rights. The ALJ will offer Plaintiff an opportunity for a hearing, take any further action needed

1 to complete the administrative record, and issue a new decision.

2 This Court hereby reverses the Commissioner's decision under sentence four of 42
3 U.S.C. § 405(g) with a remand of the case to the Commissioner for further proceedings.
4 *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Plaintiff will be entitled to reasonable
5 attorney fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d),
6 upon proper request to this Court.

7 DATED this 21st day of September, 2020.

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10 The Honorable Richard A. Jones
11 United States District Judge
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